

# ***1999 ENVIRONMENTAL PERFORMANCE PARTNERSHIP AGREEMENT***

## **CHAPTER 1: Establishing a Performance Partnership Agreement**

This chapter outlines the background, unique purpose, and benefits of this Partnership Agreement, lists the parties to it, cites the legal authority for establishing such a partnership, and provides a description of the scope of the Agreement.

### **I. STATEMENT OF PURPOSE**

Background. In the last few years, states and the federal government have been entering into agreements that seek to better coordinate efforts to protect human health and the environment. In 1998, Maryland's public health, environmental and natural resources protection agencies entered into their first agreement with the U.S. Environmental Protection Agency. The purpose of the FY 1998 Agreement between the Maryland Departments of Environment (MDE) and Natural Resources (DNR) (the Departments) and the U.S. Environmental Protection Agency (EPA) Region III, was to provide for the development of a long-term, results-based management plan that will improve the effectiveness of Maryland's environmental programs and strengthen the relationship between the Departments and EPA. That Agreement established a multi-year strategic planning/agreement process that set forth Maryland's environmental goals, identified the programs designed to achieve those goals, established and adopted indicators to measure progress, described existing workload responsibilities, defined the State/EPA relationship, and reflected a comprehensive public participation process that will help guide future program direction.

In developing the first Agreement, the Partners realized that designing meaningful and substantive partnership agreements that will improve both the environmental results and the way in which the Partners interact in performing their respective responsibilities, requires a long term process greater than what could be achieved during the first agreement cycle. Therefore, the Partners agreed that the first agreement would document what the environmental conditions and protection activities were at that time, and then target the FY 2000 Agreement as the time frame in which significant changes could be implemented.

Purpose and Timing. The purpose of the FY 1999 Agreement is to serve as a "bridge document" between the old way of doing business and the desired improvements the Partners seek to achieve. The timing of this Agreement brings the Partnership process into alignment with the state and federal fiscal years. Thus, as the Partners move forward, future agreements will be negotiated in conjunction with the parties' respective budget deadlines.

Consequently, the following FY 1999 Agreement presents the Partners' commitments to using interagency workgroups to address 7 important issues: 1. Updating the environmental indicators used to measure and report performance; 2. Managing data systems and identifying data gaps, 3. Reducing the reporting burden on Maryland where possible; 4. Improving training coordination; 5. Better aligning the state and federal fiscal year time frames; 6. Improving interagency coordination on federal facilities; and 7. Improving public outreach efforts. The Partners anticipate that the results of the workgroups' efforts will serve as the basis for the changes envisioned in the FY 2000 Agreement.

This Agreement also will enable the Partners to evaluate how well program activities are improving the quality of Maryland's air, land, water, and natural resources, and evaluate how well the Partners are working together to achieve these improvements. As part of the Agreement, the Partners will develop a process that will be used to negotiate the activities believed to be necessary to address the State's environmental conditions. It is anticipated that the Partners will continue to use categorical grants to fund many of these

activities.

This Agreement will serve as an umbrella that incorporates by reference the EPA categorical grants. The categorical grant commitments, just like other State/EPA commitments, are not changed by this Agreement. What is changed is how the Partners interact with one another, and how they will collaborate in the future to protect and improve the environment. In future years, new Agreements will be entered into that reflect changing environmental conditions, identify joint priorities, and better target funding to program activities that are more likely to achieve greater environmental successes.

**BENEFITS** - The primary benefits of this Partnership Agreement will be to continue improving the effectiveness of Maryland's environmental programs and strengthening the relationship between the Departments and EPA. The Agreement should also result in administrative benefits, including, for example, increased flexibility, eliminating administrative burdens, joint goal setting and program evaluation, and reducing federal oversight of programs judged by EPA to be successful. In future years, shared State-EPA activities involving assessment, planning, education, compliance assistance, enforcement, reporting, and/or grant writing all can be developed and evaluated in the context of mutually agreed upon environmental goals.

**ENVIRONMENTAL JUSTICE** - The Partners agree on the importance of equitable treatment of people of all races, incomes and cultures with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. No person or group of people should shoulder a disproportionate share of adverse environmental impacts resulting from the execution of environmental programs. The Partners are committed to working together to identify opportunities to evaluate and enhance program delivery in Maryland consistent with environmental justice principles. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in all federally assisted programs. As recipients of federal grant funding, the Departments recognize their obligations under Title VI, and are fully committed to complying with its provisions.

## II. AGREEMENT PARTNERS

This Environmental Performance Partnership Agreement is entered into between the Regional Administrator of Region III of the US Environmental Protection Agency (EPA) and the Secretaries of the Maryland Departments of Environment (MDE) and Natural Resources (DNR). The Maryland Department of Agriculture (MDA) is a cooperating agency, but is not a signatory to this Agreement.

## III. AUTHORITY

In 1995, the Joint Committee to Reform Oversight, made up of the Environmental Council of States (ECOS) and EPA, created the National Environmental Performance Partnership System (NEPPS.) The purpose of NEPPS is to develop new approaches that provide improved environmental outcomes, greater flexibility, strengthened partnerships between the States and EPA, and administrative savings. In 1996, the U.S. Congress authorized EPA to create a Performance Partnership Grants Program, allowing states to combine various environmental grants into one or more multi-program grants. This approach can provide the states more flexibility in supporting their environmental programs.

## IV. SCOPE OF THE AGREEMENT

The Partners agree that nothing in this Agreement should be read or construed to abrogate or alter the responsibilities, authorities, and procedures conferred upon each Partner by statute, regulation, delegation grant or authorization agreement.

The Departments administer many federally delegated and federally supported programs, including those from EPA, as well as from the Nuclear Regulatory Commission, the National Oceanic and Atmospheric Administration, the Department of Interior, and the Food and Drug Administration, among others. While programs delegated by other federal agencies and programs wholly within the State's authority are described in this Agreement, the statutes and programs covered under this Agreement are all under the EPA's purview and include:

The Clean Air Act;

The Clean Water Act;

The Safe Drinking Water Act;

The Resource Conservation and Recovery Act;

The Superfund Amendments and Reauthorization Act;

The Pollution Prevention Act; and

The Toxic Substances Control Act.

This Agreement also recognizes that the Partners have certain obligations and opportunities to conserve endangered and threatened species and their critical habitat, as set forth in the Endangered Species Act.

## **CHAPTER 2: Protecting Maryland's Citizens and Natural Resources**

Both Maryland and the federal government have embarked upon new efforts to link their programs more directly with broad policy goals. In Maryland, Governor Parris N. Glendening has created a *Managing Maryland for Results* system which is a results-based approach to management that includes strategic planning, continuous quality improvement, and performance planning and evaluation. The federal government has recently adopted the *Government Performance and Results Act* that is based on the same premise.

This Environmental Performance Partnership Agreement has been developed with these management systems in mind. This chapter describes the ways in which the Partners will work to achieve greater protection for Maryland's citizens and natural resources. The following flowchart presents the FY 1998 – FY 2000 strategic planning process and the critical milestones to be achieved over this timeframe. For a description of Maryland's strategic planning process, see Maryland - EPA FY 1998 EnPA Agreement 6/26/98.

**PUBLIC PARTICIPATION** - Involving the public throughout the Environmental Performance Partnership process has been a guiding principle for the Partners. Last year, formal public meetings were held at locations across the state. In addition, a wide variety of stakeholder groups were consulted regularly, and many of the key documents associated with the formation of this Agreement were posted on the Internet. The public has played a vital role in shaping each of the elements of the Agreement. The Partners affirm the importance of this public participation process and recognize the value that public comments have added to the Agreement.

## I. CHARACTERIZING THE ENVIRONMENT

In February 1997, MDE and DNR, with the cooperation of the Maryland Department of Agriculture and Office of Planning, produced "Maryland's Environmental Indicators - A Discussion Draft Report." This report provided a concise characterization or snapshot in time, of Maryland's environmental and key public health protection goals. This report presented over 40 different public health and ecosystem protection indicators used to track progress on goals related to air and water quality, waste disposal and recycling efforts, lead poisoning prevention, Chesapeake Bay protection and restoration activities, wildlife and their habitat, landscape modification and smart growth, among many others. During FY 1999, the Partners will be updating and revising this report. The Partners will give special attention to developing new hazardous waste and fish kill indicators.

### **Characterizing Air Quality**

One of the goals of Maryland's environmental programs is to ensure that the air is safe to breathe. An indicator was developed that shows the percentage of Maryland's population living in areas meeting federal health-based air quality standards. Data indicate that 100% of all Marylanders live in areas that meet federal health standards for five of six common pollutants detailed in the Clean Air Act (the five are carbon monoxide, sulfur dioxide, particulate matter, nitrogen oxides, and lead). However, only 13% of Marylanders live in areas that meet federal health standards for ozone, the sixth common pollutant.

### **Characterizing Riparian Forest Buffers**

Other environmental goals include improving and protecting the quality of surface waters and maintaining natural evolutionary and ecological processes. Riparian forests buffer surface water from the impacts of land activities, reduce sediments and nutrient contamination, stabilize water temperatures, and prevent the degradation of the food chain and loss of habitat for terrestrial and aquatic species. Nearly half of Maryland's streams lack a 100-foot buffer on both sides of the stream.

The draft report was distributed to over 2,000 individuals and groups, many of whom provided review and feedback. MDE also provided access to the document via its Homepage on the World Wide Web (<http://www.mde.state.md.us>).

Additionally, MDE and DNR briefed many of their established advisory groups, such as the:

- ME 2000 Advisory Committee;
- State Water Quality Advisory Council;
- Controlled Hazardous Substance Advisory Council;
- Air Quality Control Advisory Council;
- Tributary Strategy Teams; and
- Coastal and Watershed Advisory Committee.

In FY 1999, the Partners will continue to rely on their stakeholders and the public to provide ongoing input and feedback.

DATA NEEDS - Gaps in good, comprehensive data have been identified as a critical issue in the initial Agreement. The Partners had agreed to make improvements in this area a future priority. During the development of Maryland's environmental indicators, it became evident that there are areas in which the State and federal agencies had insufficient or non-existent data from which trends could be analyzed and indicators developed.

In the DNR and MDE self assessments conducted in 1997, managers identified several areas in which additional data are needed or need to be better integrated and/or linked, including:

- Monitoring data;
- Biological indicators and biophysical monitoring data;
- Ground-truthing and assessment of Geographical Information System (GIS) products, especially land cover/land use;
- Statewide growth projections with predicted land use conversions;
- Defined topography and digital elevation models;
- Compliance and enforcement data; and
- Permitting and implementation data.

Identification and development of additional databases in support of Maryland's environmental and public health protection goals present an important opportunity for future state - federal collaboration. Information and data are equally important to EPA, and sharing information is a primary mainstay of the federal - state relationship. In the FY 1999 annual workplan, special attention will be given to identifying areas in need of additional data development and support, as well as the role each Partner will have in this effort.

To achieve this, EPA Office of Environmental Data, MDE, DNR and MDA representatives will meet by December 15, 1998 to define a priority list of data needs that will be addressed in FY's 1999 and 2000. Also, this group may make recommendations on how information, reported through the national databases reporting mechanisms, will be entered, analyzed, and utilized by the Partners. The workgroup also may wish to discuss what other types of state and/or federal information are collected but are not normally shared with the other Partners, and, where desired, how to effectively utilize/share the information.

### III. STRATEGIC PRIORITIES

Based on Maryland's environmental and public health conditions and public input, the following are lists of the Partners' priorities:

#### **MDE's Priorities:**

These priorities are part of MDE's Managing Maryland for Results workplan:

- Ensure the air is safe to breathe
- Ensure that Marylanders are not exposed to unnecessary levels of radiation
- Ensure safe drinking water
- Reduce the threat to public health from the presence of hazardous materials in the environment
- Ensure that water is clean and safe for harvesting fish and shellfish
- Protect Maryland's water quality by achieving and maintaining designated uses
- Ensure adequate protection and restoration of Maryland's wetland resources

- Protect and maintain Maryland's natural resource land base and encourage smart growth and community revitalization
- Improve and protect water quality to support healthy, sustainable living resources
- Promote public participation and stakeholder involvement in Departmental activities
- Improve regulatory customer services through regulatory reform, streamlining, and burden reduction
- Ensure MDE maximizes and values its human resources
- Achieve departmental diversity and MBE participation in MDE contracts
- Utilize information technology to optimize and enhance operations
- Integrate pollution prevention activities throughout the Department's operations

### **DNR's Priorities:**

DNR's priorities, falling under 5 broad issue areas, are detailed in the FY 1998 EnPA workplan and extended into FY 1999 activities. Priority activities include:

- Revising the Non-Point Source Management Plan
- Supporting Tributary Strategy Teams to implement Bay Program objectives
- Developing restoration and conservation action strategies under the Clean Water Action Plan
- Directing grant programs to implement watershed restoration action strategies
- Monitoring water quality and assessing living resources health
- Establishing forested buffers through Stream ReLeaf
- Restoring oyster habitat and improving oyster fishery
- Restoring wetlands and submerged aquatic vegetation (SAV)
- Supporting Smart Growth using Integrated Natural Resources Assessment framework
- Expanding the Urban Natural Resources Initiative
- Identifying core lands for protection of biological diversity
- Implementing the Rural Legacy program for expanded land conservation
- Carrying out ecosystem-based resource planning on public lands
- Revising and improving indicators of environmental health
- Better aligning programs and budget initiatives with priority outcomes

The following is a list of some of **EPA's regional priorities**:

- Chesapeake Bay;
- Maryland Coastal Bays;
- Anacostia River;
- Pollution Prevention;
- Clean Water Action Plan;
- Impacts of acidification (acid deposition and acid mine drainage);
- City/Urban environments and community-based environmental protection;
- Strengthen state relationships;
- Ozone;
- Climate change;
- Protection of Drinking Water Sources;
- Sound science/indicator development;
- A credible deterrent to pollution and greater compliance with the law; and
- Effective management.

During FY 1999, the Partners will work to not only identify common priorities, but also identify areas that merit less joint attention

#### IV. THE FY 1999 ANNUAL WORKPLAN

The annual workplan identifies what the Partners will do to address the State's environmental problems and achieve the desired outcomes.

##### **Air Quality Workplan for FY99**

The MDE FY99 workplan and grants agreement specify a range of activities that Maryland will undertake to address the ozone problem. For example, MDE will:

- Develop and adopt State Implementation Plan amendments to fulfill EPA's NOx reduction requirements;
- Participate in regional efforts to control transported air pollution coming into Maryland from neighboring states; and
- Implement outreach efforts for voluntary action to reduce emissions on high ozone days.

##### **Riparian Forest Buffer Workplan for FY99**

The DNR FY99 workplan identifies a number of activities that DNR will undertake to further the state's goal to increase the extent of riparian forests. Activities include:

- Support the Stream Re-leaf Program, a buffer planting initiative aimed at meeting the goal of establishing forest buffers on 600 miles of streams by 2010;
- Encourage land owners to plant riparian forest buffers,
- Identify potential planting sites;
- Develop planting plans; and
- Carry out buffer establishment and maintenance.

The FY 1999 Agreement Workplan includes the following summary for each public and ecosystem health protection goal:

- Key goal or issue area;
- Environmental stressors and sources;
- FY 1999 EPA and State management objectives and activities; and
- Program performance measures.

A more complete description of the annual workplan is contained in Chapter 4 of this Agreement.

#### V. IMPLEMENTING THE AGREEMENT AND EVALUATING PROGRESS

## 1. Existing Grants and Delegations

Under cover of the Agreement and its annual workplan, the Partners will implement the activities and track progress. For the purposes of this Agreement, the Partners may use the environmental indicators found in *Maryland's Environmental Indicators Report* and other program performance measures to evaluate and report progress.

EPA uses core performance measures to evaluate its performance. EPA relies on the State to collect and report the data, primarily through existing grant and delegation agreements. Specific reporting requirements may be found in these grant and delegation agreements. In addition, each categorical grant includes Quality Assurance Planning requirements. During FY 1999, the Partners will review the applicable core performance measures to evaluate which measures should be adopted for use as state performance measures.

For those areas in which progress is being made, the Partners can begin to examine ways to better target monitoring and streamline reporting. During FY 1999, the Partners will form workgroups to identify specific reporting requirements that can be eliminated, reduced, and/or changed through new reporting processes. Some reporting areas that the Partners will analyze include: hazardous waste requirements, MBE and WBE requirements, SRF fiscal requirements, drinking water rules, and grant applications, delegation agreements, and workplans. By January 30, 1999, the workgroups will present a status report to the Coordinating Team, and by May 30, 1999, the workgroups will present their final reports.

## 2. Realignment of Fiscal Years

Currently, the State's fiscal year runs July 1 through June 30, whereas the Federal fiscal year runs October 1 through September 30. The Partners believe that using the State's fiscal year for negotiation and grant awards will streamline their efforts. Therefore, the Partners agree to investigate realigning the time frame of federal - state negotiations for grants and EnPA to coincide with Maryland's fiscal year. The Partners agree to establish a workgroup that will recommend a realignment process by February 1999.

## 3. Incorporation by Reference

MDE and DNR have various documents, including this Agreement, that detail their activities, goals, and objectives. The other documents are incorporated into this Agreement by referencing their existence and by re-affirming their role in setting Maryland's environmental agenda. These documents include:

MDE and DNR's State FYs 1999 and 2000 Managing Maryland for Results budget submissions;

The 1984 Chesapeake Bay Agreement and Restoration Strategies;

State Revolving Fund (SRF) Intended Use Plans for Wastewater and Drinking Water;

Section 319 Non-Point Source (NPS) Management Plan and Assessment Report;

Comprehensive Conservation and Management Plans (CCMPs) for Maryland's Inland Bays;

Integrated Natural Resources Assessment;

Comprehensive Ground Water Protection Plan;



Administrative Assistance Applications;

Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Cooperative Agreement;

Clean Water Act (CWA) Section 305(b) Water Quality Assessment Report;

Environmental Indicators Report;

MDE 1998 Annual Enforcement Report; and

Maryland Environment 2000 (ME 2000) Risk Assessment Report.

#### 4. Enforcement and Compliance

DEVELOPING A COOPERATIVE APPROACH - Both MDE and Region III agree that enforcement and compliance actions are important tools for achieving agreed-upon environmental goals and strategic priorities. MDE and the Region need to fully communicate at the appropriate level of management regarding contemplated inspections, compliance assistance, or enforcement actions. To improve the effectiveness of our efforts, it is imperative that the Partners jointly define and recognize their roles, responsibilities and overarching goals.

In this regard, the Region acknowledges that MDE carries out the bulk of inspections, enforcement and compliance assistance actions, which occur in the State of Maryland. Similarly, MDE recognizes the federal role, which includes evaluating state programs, conducting compliance inspections and follow-up enforcement actions where indicated, as well as ensuring a level playing field among states.

The Partners agree that they share the overarching goal of environmental improvement. Recognizing that they each have limited resources to devote to their respective strategic priorities aimed at achieving overall environmental improvement, the Partners will continue to develop a consultative relationship that includes the following concepts:

- Each Partner will, in good faith, keep the other Partner informed of the enforcement activities underway and planned, including timely entry of data into national data bases. Criminal actions or extreme emergencies [i.e., Temporary Restraining Orders (TROs)] may be exceptions, but the Partners will strive to provide open communication in a timely and appropriate manner.
- The Partners consider enforcement, compliance assistance, and compliance incentives to be tools that can be employed in appropriate situations. They will explore and promote where possible the use of re-invention tools, such as Pollution Prevention.
- The Partners will hold regular meetings to discuss the status of current and potential future cases. They will also hold periodic meetings between program managers at MDE and Region III to discuss broader enforcement and compliance assistance issues. In the event that disagreements occur regarding specific cases or strategies, the Partners will elevate the discussion of such disagreements to the next higher level within their respective agencies for resolution.

MDE and the Region are committed to developing better communication procedures for keeping each other

adequately informed about intended actions and desired outcomes.

MDE expressly requests and EPA agrees that to the extent practicable, that when the Region provides advance notice to MDE concerning a proposed enforcement action, that the Region will specifically advise MDE of its legal authority for each count or charge of violation which arises under both Federal law and a Maryland State statute, rule, or regulation which is more stringent than the applicable Federal law or regulation.

MDE and the Region further agree to meet during 1999 to discuss and clarify the hierarchical relationship between the applicable delegation agreements, the annual Performance Partnership Agreements, and the individual development of Memoranda of Understanding as necessary between each of MDE's various media administrations and their media administration counterparts at the Region.

Throughout FFY 1999, the Partners will continue to develop the process for consultation and communication about their environmental priorities, problems, and strategies to address those problems. MDE and the Region agree to explore opportunities for enhancing the State's role in participation in the negotiation of the Memorandum of Understanding between the Region and EPA Headquarters. They will also discuss opportunities to improve data management, coordination, and integration.

### **CHAPTER 3: Administering the Performance Partnership Agreement**

The Partners are committed to improving the effectiveness of Maryland's environmental programs and strengthening the relationship between the State and EPA. This chapter outlines how the Partners will communicate and coordinate, resolve any disputes that might arise, and identifies the members of the Partnership Coordinating Team.

#### **I. COMMUNICATION AND COORDINATION**

The Partners agree to communicate on a regularly scheduled basis, and to discuss the overall progress of the activities in the Agreement. These activities, to be successful, are dependent upon MDE, DNR, and EPA dedicating personnel to implement, or modify if necessary, the Agreement once all parties adopt it.

To ensure ongoing communication, each party has designated a point of contact. MDE's designated person chairs Maryland's Performance Partnership Coordinating Team (E-PACT), which is made up of key personnel from each participating agency, as well as a representative from MDA, who serves in an advisory capacity. The E-PACT will take part in regularly scheduled conference calls and in-person meetings to foster improvements in the Performance Partnership process and ensure that issues identified in the Agreement are resolved during the course of the year. A key objective of the E-PACT will be to quickly and efficiently resolve these issues by setting and meeting deadlines for resolution.

In FY 1998, the Partners identified two areas of concern in need of enhanced communication: (1) training on new federal rules and regulations, and (2) federal facilities coordination. During FY 1999, the Partners agree to develop a coordinated training approach for new regulations for Region III states, as well as discuss how EPA can help provide in-depth training for state employees in selected areas, such as PSD, NSR, modeling, and emission inventories. The Partners also agree to create a joint EPA - Maryland multi-media federal facilities workgroup. To achieve the above, the Partners will establish a training workgroup in addition to the federal facilities workgroup. Each workgroup will report on their progress by January 30, 1999, and will submit a final report by May 30, 1999.

## II. DISPUTE RESOLUTION

The Partners are committed to timely resolution of disputes. The Partners agree to treat the resolution process as an opportunity to improve our joint efforts. With reference to enforcement and compliance issues, the consultative process identified earlier will be used in dispute resolution. On all other issues, the following procedures will be used:

**PRINCIPLE** - all disputes should be resolved at the front line or staff level.

**TIMEFRAME** - generally, disputes should be resolved as quickly as possible but within 2 weeks of their arising at the staff level. If unresolved at the end of 2 weeks, the issue should be raised to the next level of each organization.

**ELEVATION** - when there is no resolution and the 2 weeks have passed, there should be comparable elevation in each organization, accompanied by a statement of the issue and a one-page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each organization.

## III. THE EnPA COORDINATING TEAM (E-PACT)

The members of E-PACT include:

### **E-PACT Chairperson**

Robert Hoyt  
Assistant Secretary  
MDE

### **Principal DNR Contact**

David Burke  
Director, Chesapeake &  
Coastal Watershed Service  
DNR

### **Principal EPA Contact**

Thomas Voltaggio  
Deputy Regional Administrator  
U.S. EPA Region III

MDE E-PACT members:

Dane Bauer, Deputy Director and Pam Wright, Program Administrator, Water Management Administration;

Ann Marie DeBiase, Deputy Director and Dorothy Guy, Senior Policy Assistant to the Director, Air and Radiation Management Administration;

Regina Rochez, Program Administrator, and Hilary Miller, Administrator, Waste Management Administration;

Robert Summers, Ph.D., Deputy Director and Richard Eskin, Ph.D., Program Administrator, Technical and Regulatory Services Administration;

Susan Scotto, Strategic Planning Coordinator, John Mitchell, Special Assistant, and Bernie Penner, Enforcement and Compliance Coordinator, Office of the Secretary.

DNR E-PACT members

Anne Sloan, Natural Resources Planner, Watershed Management and Analysis Division;

Gwynn Schultz, Director, Coastal Zone Management Division; and John Wolf, Chief of Watershed Management and Planning, Watershed Management and Analysis Division.

#### EPA E-PACT members

Mike Burke, Chief, Government Affairs Branch;

Barbara D'Angelo, Regional Manager, Performance Partnership;

Samantha Fairchild, Director, Office of Enforcement, Compliance, and Environmental Justice;

Patricia Gleason, Chief, Maryland and Washington, DC Branch, Water Protection Division;

Robert Greaves, Chief, General Operations Branch, Waste, Chemicals Management Division;

Glenn Hanson, Special Assistant, Air Protection Division;

Stu Kerzner, Office of Environmental Information;

Diana Esher, Deputy Director, Environmental Services Division;

James Heenehan, Office of Regional Council; and

Alan Hollis, Project Officer, Hazardous Site Cleanup Division.

#### MDA E-PACT member

Louise Lawrence, Chief, Office of Resource Conservation.

#### IV. SIGNATURE PAGE

#### AGREEMENT

This Agreement is hereby entered into this day of October, 1998, and remains in effect until October 1, 1999, unless amended or extended by mutual consent.

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W. Michael McCabe  
Regional Administrator  
US Environmental Protection  
Agency, Region III

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Jane T. Nishida  
Secretary  
Maryland Department of the  
Environment

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John R. Griffin  
Secretary  
Maryland Department of  
Natural Resources